Executive Summary – Enforcement Matter – Case No. 50380 Richards Independent School District RN101513489 Docket No. 2015-0615-MWD-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Richards ISD, located at 9477 Panther Drive, approximately 550 feet north of Farm-to-Market Road 149 and 1,800 feet west of the Chicago, Rock Island and Pacific Railroad, Grimes County

Type of Operation:

Wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: November 13, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$9,489

Amount Deferred for Expedited Settlement: \$1,897 Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$7,592 **Total Due to General Revenue:** \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: February 4, 2015

Date(s) of NOE(s): March 11, 2015

Executive Summary – Enforcement Matter – Case No. 50380 Richards Independent School District RN101513489 Docket No. 2015-0615-MWD-E

Violation Information

- 1. Failed to maintain compliance with permitted effluent limitations. Specifically, a single grab sample collected during the investigation revealed a total chlorine residual of 4.54 milligrams per liter ("mg/L") which exceeds the permitted limit of 4.0 mg/L [Tex. Admin. Code § 305.125(1) and Tex. Water Code § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013527001, Effluent Limitations and Monitoring Requirements No. 2].
- 2. Failed to maintain process control records. Specifically, the records of process controls conducted for solids management were not being maintained [30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0013527001, Operational Requirements No. 1].
- 3. Failed to monitor the food to the microorganism ratio. Specifically, the Respondent was not monitoring the food to microorganism ratio, given as the influent biochemical oxygen demand-5 day concentration divided by the aeration basin mixed liquor suspended solids concentration, once per month by grab samples [30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0013527001, Other Requirements No. 9].
- 4. Failed to assure the quality of all measurements through the use of blanks, standards, duplicates, and spikes. Specifically, the Respondent was not conducting or recording the quality control assurance for total chlorine analysis [30 Tex. Admin. Code §§ 305.125(1) and 319.6 and 319.9(d), and TPDES Permit No. WQ0013527001, Monitoring and Reporting Requirements No. 3.c.].
- 5. Failed to employ or contract one or more licensed wastewater treatment facility operators holding the appropriate level of license to operate a wastewater treatment facility a minimum of five days per week. Specifically, the Respondent allowed an unlicensed individual to perform process control duties at the Facility [30 Tex. Admin. Code §§ 30.350(d) and (j), and 305.125(1), and TPDES Permit No. WQ0013527001, Other Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. On February 17, 2015:
- i. Submitted operator logs demonstrating records of process controls conducted for solids management are being maintained;

Executive Summary – Enforcement Matter – Case No. 50380 Richards Independent School District RN101513489 Docket No. 2015-0615-MWD-E

- ii. Submitted colorimeter calibrations records demonstrating that adequate quality control measures are being conducted on a 10% basis and recorded for total chlorine analysis;
- iii. Submitted an operator log indicating process control duties are being conducted by an operator with a Class "C" Wastewater Operator License; and
- iv. Installed new chlorine feed tubes in the chlorine contact chamber.
- b. On February 24, 2015, began collecting samples to monitor the food to microorganism ratio and began maintaining the records.
- c. By March 31, 2015, returned to compliance with permitted effluent limitations.

Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Cheryl Thompson, Enforcement Division,

Enforcement Team 3, MC R-04, (817) 588-5886; Candy Garrett, Enforcement Division,

MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Martey Ainsworth, Superintendent, Richards Independent School

District, P.O. Box 308, Richards, Texas 77873

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW) PCW Revision March 26, 2014 Policy Revision 4 (April 2014) Assigned 9-Mar-2015 PCW 15-Apr-2015 Screening 23-Mar-2015 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent Richards Independent School District Reg. Ent. Ref. No. RN101513489 Facility/Site Region 9-Waco Major/Minor Source Minor CASE INFORMATION Enf./Case ID No. 50380 No. of Violations 5 Docket No. 2015-0615-MWD-E Order Type 1660 Media Program(s) Water Quality Government/Non-Profit Yes Multi-Media Enf. Coordinator Cheryl Thompson EC's Team Enforcement Team 3 Maximum \$25,000 Admin. Penalty \$ Limit Minimum Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History 45.0% Enhancement Subtotals 2, 3, & 7 Enhancement for two orders with denial of liability and one NOV with Notes same/similar violations. Culpability No 0.0% Enhancement Subtotal 4

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments Subtotal 5

Deferral offered for expedited settlement.

0.0% Enhancement* Subtotal 6

20.0% Reduction

Final Subtotal

Final Penalty Amount

Final Assessed Penalty

Adjustment

Adjustment

*Capped at the Total EB \$ Amount

0.0%

Notes

Notes

Notes

Economic Benefit

\$188

SUM OF SUBTOTALS 1-7

Total FB Amounts

OTHER FACTORS AS JUSTICE MAY REQUIRE

Estimated Cost of Compliance

Reduces or enhances the Final Subtotal by the indicated percentage.

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage.

PAYABLE PENALTY

\$7,750

\$3,487

-\$1,748

\$9,489

\$9,489

\$9,489

-\$1,897

\$7,592

\$0

\$0

\$0

Screening Date 23-Mar-2015

Docket No. 2015-0615-MWD-E

Respondent Richards Independent School District **Case ID No.** 50380

Reg. Ent. Reference No. RN101513489

Media [Statute] Water Quality Enf. Coordinator Cheryl Thompson

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Compliance History Worksheet

Component	Number of	Enter Number Here	Aajust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0 *	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
	Ple	ase Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
O.T.C.	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2)
at Violator (
No	Adjustment Per	centage (Sub	total 3)
pliance Histo	ry Person Classification (Subtotal 7)		
Satisfactory	Performer Adjustment Per	centage (Sub	total 7)
oliance Histo	ry Summary		
Compliance History Notes	Enhancement for two orders with denial of liability and one NOV with same/simil	ar violations.	

Screening Date		Docket No. 2015-0615-MWD-E	PCW
	Richards Independent School	District	Policy Revision 4 (April 2014)
Case ID No.			PCW Revision March 26, 2014
Reg. Ent. Reference No.			
Media [Statute]			
Enf. Coordinator			
Violation Number			
Rule Cite(s)		125(1), Tex. Water Code § 26.121(a)(1), and Tex	II .
	-	nination System (TPDES) Permit No. WQ0013527	001,
	Effluent Limita	tions and Monitoring Requirements No. 2	
·			
		ce with permitted effluent limitations, as docume	
Violation Description		lucted on February 4, 2015. Specifically, a single	
•		investigation revealed a total chlorine residual of /L") which exceeds the permitted limit of 4.0 mg/	
	minigrams per niter (mg,	/L / which exceeds the permitted little of 4.0 mg/	
		Base Pe	enalty \$25,000
> Environmental, Proper	ty and Human Health	Matrix	
	Harm		
Release	Major Moderate	Minor	
OR Actual		X	
Potential		Percent 5.0%	
> D			
>Programmatic Matrix Falsification	Major Moderate	Minor	
raisineation	moderate	Percent 0.0%	
Human health	or the environment has been	exposed to insignificant amounts of pollutants th	ant do
SESSESSE MAFRIX II		iman health or environmental receptors as a resu	. 11
Notes	·	he violation.	
<u> </u>			
		Adjustment \$2	3,750
			
			\$1,250
iolation Events			
Number of \	/iolation Events 1	1 Number of violation days	·
Transer of the	Totalon Events	Trained of Violation days	'
	daily]	
	weekly		
·	monthly		
mark only one with an x	quarterly	Violation Base Pe	enalty \$1,250
with all X	semiannual		
	annual		
	single event x		
Processor			
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
	One single	event is recommended.	建筑
ood Faith Efforts to Com	oly 10.0%		action \$125
ood raith Enorts to Com	Before NOE/NOV	Kear NOE/NOV to EDPRP/Settlement Offer	Jction \$12!
	Extraordinary Extra	NOW, NOV TO LOT MY SECURITIES OF O	
	Ordinary	3 × 1 × 1 × 1 × 1 × 1 × 1 × 1 × 1 × 1 ×	
	·		
	N/A	(mark with x)	
	Notes The Respon	ndent returned to compliance by March 31,	
	MULES	2015.	
		Violation Sub	ototal \$1,125
		Violation Sur	Ψ1/122
conomic Benefit (EB) for	this violation	Statutory Limit Te	st
	<u> </u>		
Estimate	ed EB Amount	\$1 Violation Final Penalty	Total \$1,688
	This yiel	ation Final Assessed Penalty (adjusted for li	mite) #1 600
	THIS VIOL	ucion i mai Assesseu Fendity (dujusteu fof III	mits) \$1,688

		conomic					
Respondent	Richards Indep	oendent School Di	strict				
Case ID No.	50380						
lea. Ent. Reference No.							
	Water Quality						Years of
Violation No.						Percent Interest	Depreciation
Violation No.						F 0	300000338883333388830378888888
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delaved Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings		i —		0.00	\$0	\$0	\$0 \$0
Other (as needed)		1		0.00	\$0	\$0	\$0
Engineering/Construction		†		0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
				0.00	\$0	n/a	\$0
Training/Sampling	II	11 11					
Training/Sampling Remediation/Disposal				0.00	\$0		
						n/a n/a	\$0 \$0
Remediation/Disposal	\$150	4-Feb-2015	31-Mar-2015	0.00 0.00 0.15	\$0 \$0 \$1	n/a n/a n/a	\$0 \$0 \$1
Remediation/Disposal Permit Costs	Estimated c	ost to install new	chlorine feed tu	0.00 0.00 0.15 bes in	\$0 \$0 \$1 the chlorine conta	n/a n/a	\$0 \$0 \$1 equired is the
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s	\$0 \$0 \$1 the chlorine conta ample. Final date	n/a n/a n/a n/a ct chamber. Date re is the date of comp	\$0 \$0 \$1 equired is the liance.
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s	\$0 \$0 \$1 the chlorine conta ample. Final date ng item (except \$0	n/a n/a n/a ct chamber. Date ris the date of comp for one-time avoid	\$0 \$0 \$1 equired is the liance. ded costs)
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterin 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ng item (except \$0 \$0	n/a n/a n/a n/a ct chamber. Date re is the date of comp for one-time avoid \$0 \$0	\$0 \$0 \$1 equired is the liance. ded costs) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterin 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ig item (except \$0 \$0 \$0	n/a n/a n/a n/a ct chamber. Date n is the date of comp for one-time avoid \$0 \$0 \$0	\$0 \$0 \$1 equired is the liance. ded costs) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterin 0.00 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ng item (except \$0 \$0 \$0 \$0	n/a n/a n/a n/a ct chamber. Date ris the date of comp for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$1 equired is the liance. ded costs) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterii 0.00 0.00 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ig item (except \$0 \$0 \$0 \$0	t chamber. Date re is the date of comp for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	\$0 \$0 \$1 equired is the liance. ded costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterin 0.00 0.00 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ig item (except \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a ct chamber. Date ris the date of comp for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$1 equired is the liance. ded costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterii 0.00 0.00 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ig item (except \$0 \$0 \$0 \$0	t chamber. Date re is the date of comp for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	\$0 \$0 \$1 equired is the liance. ded costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterin 0.00 0.00 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ig item (except \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a ct chamber. Date ris the date of comp for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$1 equired is the llance. ded costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterin 0.00 0.00 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ig item (except \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a ct chamber. Date ris the date of comp for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$1 equired is the llance. ded costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated c	ost to install new stigation date and	chlorine feed tu the date of the	0.00 0.00 0.15 bes in grab s enterin 0.00 0.00 0.00 0.00	\$0 \$0 \$1 the chlorine conta ample. Final date ig item (except \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a ct chamber. Date ris the date of comp for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$1 equired is the llance. ded costs) \$0 \$0 \$0 \$0 \$0

	Date 23-Mar-2015		Docket No. 201	5-0615-MWD-E	PCW
	ndent Richards Indeper I D No. 50380	ident School District			Policy Revision 4 (April 2014) PCW Revision March 26, 2014
Reg. Ent. Reference	49949944949499				PCW REVISION March 26, 2014
Media [Sta	atute] Water Quality				
	inator Cheryl Thompsor	1			
Violation N	Cite(s)				
Ruic	30 Tex. Adm		 and TPDES Permit Requirements No. 1 	No. WQ0013527001,	ı
	<u></u>	Operationa	r Requirements No. 1		
Violetian Dage				d during an investiga	
Violation Desc			gement were not bei	rds of process control ng maintained.	5
	Linux in the control of the control				
T.				Base Per	malty \$25,000
>> Environmental, l	Property and Huma	n Health Matrix			
		Harm			
OR	Release Major Actual	Moderate Mino	r		120
8888888888888	Potential		Per	cent 0.0%	TATAL CONTRACTOR OF THE CONTRA
	•				- designation
>>Programmatic Ma	atrix fication Major	Moderate Mino	г		417.6
	x [cent 5.0%	
					
Matrix	1000	% of the rule require	ments were not met.		
Notes	100	or the tale require	ments were not met.		
<u> </u>					
			Adjust	ment \$2.	3,750
					\$1,250
Violation Events					
			[
Nur	mber of Violation Events		13Nur	nber of violation days	
	daily				7
	weekly				
	only one quarterly			Violation Base Per	nalty \$1,250
wit	h an x semiannual			Violation base Fe	91,250
	annual				
	single event	×			
		One single event is	recommended.		
L					
Good Faith Efforts t		25.0%			ction \$312
	Be Extraordinary	fore NOE/NOV NOE/NO	/ to EDPRP/Settlement Of	fer	
	Ordinary	×			
	N/A	(mark wi	th x)		
		The Respondent retu	irned to compliance o	in February 17.	
	Notes		2015.	1 4,7	
	L				
annum de la companya				Violation Sub	total \$938
Economic Benefit (E	EB) for this violatio	n	Sta	atutory Limit Tes	st
	Estimated EB Amount			ation Final Penalty	
		This violation		alty (adjusted for lin	
		ima violativii i	ai Assesseu Felle	, (aajastea 101 III	

	E	conomic l	Benefit '	Wol	rksheet		
Respondent	Richards Indep	oendent School Di	strict				
Case ID No.	50380						
Reg. Ent. Reference No.	RN101513489						
· · · · ·	Water Quality				-		Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
			ниналининалининалинин				
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	r/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	4-Feb-2015	17-Feb-2015	0.04	\$0	n/al	\$0
Notes for DELAYED costs		Date required is	the investigation	n date	. Final date is the	onducted for solids r date of compliance.	
Avoided Costs	ANNUAL	IZE [1] avoided	costs before			for one-time avoid	ied costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)	<u> </u>			0,00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$100			TOTAL		\$0

		23-Mar-2015		**********************************	No. 2015-0615-MWD-E		PCW
		Richards Indepe	ndent School D	istrict			vision 4 (April 2014)
- \$35538888888388888888888888888888888888	se ID No.					PCW Revi	ision March 26, 2014
Reg. Ent. Refe		Water Quality					
		Cheryl Thompso	n				
presentation presentation of the contraction of the	ion Number	V-01-1-01-1-01-1-01-1-01-1-01-1-01-1-01	••				
F	Rule Cite(s)	20 Toy Admin	Codo 5 205 1	25/1) and TRISEC	Permit No. WQ0013527001,	Other	100
		Jo Text Admini	. Code 9 303.1.	Requirements N		Ouser	
		Failed to mo	onitor the food	to microorganism	ratio, as documented during	an	***************************************
		investigation co	nducted on Feb	oruary 4, 2015. S	pecifically, the Respondent v	vas not	
Violation	Description				given as the influent blochen		***************************************
					by the aeration basin mixed for month by grab samples.	iquor	
		Susper	idea sonas come	calcidation, once p	er monen by grab samples.		
	ı	<u> </u>					
					Base F	Penalty	\$25,000
>> Environment	al, Proper	ty and Huma	ın Health M	atrix			
			Harm				
OR	Release Actual	Major	Moderate	Minor			
UK	Potential			×	Percent 3.0%		
	7 0001101011	المستنسسين مستنسسا	خطاب سمسمستن فند	النصيد	3.07.01		
>>Programmati							
	Falsification	Major	Moderate	Minor	Percent 0.0%		
L		LL	L_		Percent 0.0%		
Г	Human healt	h or the environ	ment will or cou	ıld he exposed to	insignificant amounts of pollu	itants	
Matrix					Ith or environmental receptor	18	
Notes			result c	of the violation.	•		
<u> </u>	***********************						
					Adjustment	24,250	
							\$750
Violation Events							***************************************
	Number of \	/iolation Events	1	20	Number of violation da	ys	
		daily					
		weekly monthly	-				
ı	mark only one	quarterly			Violation Base F	enalty	\$750
	with an x	semiannual					
		annual					
		single event	X				***

			One single ev	ent is recommend	led.		
			2F 22/				A107
Good Faith Effor	ts to Com		25.0% Nore NOE/NOV N	OE/NOV to EDPRP/Se		duction	\$187
· ·		Extraordinary	1	22,110.10.20114736			***************************************
		Ordinary	×	raniqiah savasu mususu manasu 			Acceptable
***************************************		N/A		nark with x)			-
***************************************			The Responder	at returned to com	npliance by February 24,		намани
		Notes	ind inaboliaci	2015.	in a second control of the second control of		шинин
		L					anomaria.
Management					Violation Su	ıbtotal	\$563
Economic Benefi	+ / ED\ f ~=	thic violatic			Statutory Limit T	act	bet to the second
reonomic benefi			1		Statutory Limit 1	.JL	
	Estimate	ed EB Amount[\$1	Violation Final Penalty	/ Total	\$901
***************************************			This violat	tion Final Assess	sed Penalty (adjusted for	limits)	\$901

	E	conomic l	Benefit	Wo	rksheet		
Respondent	Richards Indep	endent School Di	strict		\$5.2250000000000000000000000000000000000		000000000000000000000000000000000000000
Case ID No.	50380						
Reg. Ent. Reference No.	RN101513489						
Media	Water Quality					Danasak Takanasa	Years of
Violation No.	3					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved		EB Amount
Item Description	No commas or \$						
411131143110041144444444444444444444444	****************	***************************************		355566648466666		*************	eccentrations are access as a state
Delaved Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	17/8	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	11/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	11/a	\$0
Other (as needed)	\$200	4-Feb-2015	24-Feb-2015	0.05	\$1	n/a	\$1
	Estimated co	st to begin monito	ring the food t	o micro	organism ratio on	e per month by gra	samples and
Notes for DELAYED costs						late. Final date is th	
Hotes for Bulling Costs	l co ocgiii	mannanning rece	(OS) DOLL (CO)	compli	-	acc. That dota is a	o date di
· ·		- <u> </u>		COTTIPI			
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enteri	ng item (except	for one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)		استستست		0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Notes for Avoided costs							
			41 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -				
Approx. Cost of Compliance		\$200			TOTAL		\$1
	K				vvvvvvvv000000000000000000000000000000	·	

	ening Date			ocket No. 2015-061	5-MWD-E	PCW
		Richards Independe	nt School District			Revision 4 (April 2014)
Reg. Ent. Refe	ase ID No. erence No.				PCW F	Revision March 26, 2014
	[Statute]					
		Cheryl Thompson				
Viola	tion Number Rule Cite(s)	4				1
	Rule Cite(s)	i i		19.6 and 319.9(d), and		
		WQ001352	27001, Monitoring and	d Reporting Requirement	nts No. 3.c.	
			.1			
	_			asurements through th umented during an inv		
Violation	1 Description	on February 4, 201	.5. Specifically, the R	espondent was not con	ducting or recording	
		the q	juality control assurar	ce for total chlorine an	alysis.	
						<u></u>
					Base Penalty	\$25,000
>> Environmen	ital, Proper					
	Release		Harm oderate Minor			
OR	Actual		Timor			
	Potential		x x	Percent	3.0%	
>>Programmat	ric Matrix					
Frogramma	Falsification	Major Mo	oderate Minor	_		
				Percent	0.0%	
	11					1
Matrix				osed to insignificant am nan health or environm		
Notes			result of the viola		The state of the s	
					+24.250	1
				Adjustment	\$24,250	
						\$750
Violation Event	S					
	Number of \	Violation Events	1	13 Number o	f violation days	
					, , , , , , , , , , , , , , , , , , , ,	
***************************************		dally				
		weekly monthly				
	mark only one with an x	quarterly		Viol	ation Base Penalty	\$750
		semiannual				
317		annual single event	×			***************************************
		•	ne single event is rec	mmondod		***************************************
			rie single evene is ree	mmenaeu.		***************************************
Cond Enits etc	rko ka Car		2F 00/c		*-	+107
Good Faith Effo	nts to com		25.0% NOE/NOV to	EDPRP/Settlement Offer	Reduction	\$187
***************************************		Extraordinary				
		Ordinary	X			
		N/A	(mark with x)		1	
		Notes	e Respondent returne	d to compliance on Feb. 2015.	uary 17,	To represent the control of the cont
***************************************					Violation Subtotal	\$563
Economic Bene	fit (FR) for	this violation		Statute	ry Limit Test	
		ed EB Amount	\$C	-	Final Penalty Total	\$901
ALLEGE	ESUMAC	eu EB AIIIOUIIL			•	
			inis violation Fina	l Assessed Penalty (a	ujusted for limits)	\$901

Respondent Case ID No.		.VIIVIIIC I	Deligit		rksheet		
Case ID No.	•	endent School Di	strict				
	50380						
eg. Ent. Reference No.	RN101513489						
Media	Water Quality					Percent Interest	Years of
Violation No.	4					Percent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Vrc	Interest Saved	Onetime Costs	EB Amount
Item Description		-uce nequires	,a. Date		***************************************	• • • • • • • • • • • • • • • • • • • •	
ttem bescription	NO COMBINS OF \$						
Delayed Costs							
Equipment		ir i		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0 \$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0 \$0	n/a	\$0 \$0
Training/Sampling				0.00	\$0 \$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0 \$0	n/a	\$0 \$0
Other (as needed)	\$200	4-Feb-2015	17-Feb-2015	0.04	\$0 \$0	n/a	\$0 \$0
Notes for DELAYED costs		ng records. Date					
				investic	jation date. Final	date is the date of o	and to begin compliance.
Avoided Costs	ANNUAL	(ZE [1] avoided	costs before	enterir	ng item (except	for one-time avoid	compliance.
Avoided Costs Disposal	ANNUAL	(ZE [1] avoided	costs before	en teri r 0.00	ng item (except \$0	for one-time avoid	ded costs)
Disposal Personnel	ANNUAL	ZE [1] avoided	costs before	enterir 0.00 0.00	ng item (except \$0 \$0	for one-time avoid \$0 \$0	ded costs) \$0 \$0
Disposal Personnel pection/Reporting/Sampling	ANNUAL	tZE [1] avoided	costs before	0.00 0.00 0.00	ng item (except \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0
Disposal Personnel	ANNUAL	(ZE [1] avoided	costs before	0.00 0.00 0.00 0.00	ng item (except \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	ANNUAL	(ZE [1] avoided	costs before	0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL	(ZE [1] avoided	costs before	0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	sompliance. \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	ANNUAL	ZE [1] avoided	costs before	0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	sompliance. \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	sompliance. \$0
Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANNUAL	\$200	costs before	0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	sompliance. \$0

Screening Date	CCCFFCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC	PCW
	Richards Independent School District	Policy Revision 4 (April 2014)
Case ID No. Reg. Ent. Reference No.		PCW Revision March 26, 2014
Media [Statute]		
Enf. Coordinator		
Violation Number	5	
Rule Cite(s)	30 Tex. Admin. Code §§ 30.350(d) and (j), and 305.125(1), and TPDES Perm	it No.
No. of the Contract of the Con	WQ0013527001, Other Requirements No. 1	
	Failed to employ or contract one or more licensed wastewater treatment fac operators holding the appropriate level of license to operate a wastewater trea	
Violation Description	facility a minimum of five days per week, as documented during an investiga	11 3
	conducted on February 4, 2015. Specifically, the Respondent allowed an unlice	ensed
	individual to perform process control duties at the Facility.	
	P P.	+2F 000
	Base Pe	enalty \$25,000
>> Environmental, Proper	ty and Human Health Matrix	
Delege	Harm Major Madaysta Misay	
Release OR Actual	Major Moderate Minor	
Potential	X Percent 15.0%	
>>Programmatic Matrix Falsification	Major Moderate Minor	
Tuisineditori	Percent 0.0%	
	The state of the s	
Matrix Human healt	h or the environment will or could be exposed to pollutants that would exceed le	evels
Notes	that are protective of human health or the environment.	
L		
	Adjustment \$2	21,250
		\$3,750
		\$5,750
Violation Events		
Number of	Violation Events 1 13 Number of violation days	s
	Lanaurana Lanaur	
:	dally	
	weekly monthly x	
mark only one	quarterly Violation Base Pe	enalty \$3,750
with an x	semiannual	***************************************
	annual	
	single event	
<u> </u>		
One month	ly event is recommended for the period of February 4, 2015 (investigation date February 17, 2015 (date of compliance).) to
<u> </u>	to day as years (and a complication)	
Good Faith Efforts to Com	plv 25.0% Red	uction \$937
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	
	Extraordinary	
	Ordinary x	
	N/A (mark with x)	
	Notes The Respondent returned to compliance on February 17,	
	2015.	
	Violation Sul	btotal \$2,813
	Violation Sui	\$2,013
Economic Benefit (EB) for	this violation Statutory Limit Te	st
Estimat	ed EB Amount \$186 Violation Final Penalty	Total \$4,501
	This violation Final Assessed Penalty (adjusted for li	-
	rins violation rindi Assesseu Femalty (adjusted for i	mica) \$4,301]

	Ed	conomic	Benefit	Wo	rksheet		
	•	endent School Di	strict			bisking and see a consistency of the contract	
Case ID No.							
Reg. Ent. Reference No.	RN101513489						
Media	Water Quality					Percent Interest	Years of
Violation No.	5					reitent mierest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description						0.1.0411.70 00010	
rem bescription	nu commes or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	ii/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs				-:			
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enteri	ng item (except	for one-time avoi	ied costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			00000000000000000000000000000000000000	0.00	\$0	\$0	\$0
Supplies/Equipment	<u></u>			0.00	\$0	<u>\$0</u>	\$0
Financial Assurance [2] ONE-TIME avoided costs [3]	\$186	4-Feb-2015	17-Feb-2015	0.00	\$0 \$0	\$0 \$186	\$0
Other (as needed)	\$100	4-reu-2013	17~Feb-2015	0.00	\$0 \$0	\$100	\$186 \$0
Notes for AVOIDED costs	11			tion fee	e to take the Class	D or higher wastev the date of complian	vater licensing
Approx. Cost of Compliance		\$186			TOTAL		\$186

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN600790067, RN101513489, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, CN600790067, Richards ISD

Classification: SATISFACTORY

Rating: 3.95

or Owner/Operator: **Regulated Entity:**

RN101513489, RICHARDS ISD

Classification: SATISFACTORY

Rating: 3.95

Complexity Points:

4

Repeat Violator: NO

CH Group:

14 - Other

Location:

9477 Panther Drive, approximately 550 feet north of Farm-to-Market Road 149 and 1,800 feet west

of the Chicago, Rock Island and Pacific Railroad in Grimes County, Texas

TCEQ Region:

REGION 09 - WACO

ID Number(s):

WASTEWATER PERMIT WQ0013527001

WASTEWATER EPA ID TX0106119

WASTEWATER LICENSING LICENSE WQ0013527001

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: May 11, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: May 11, 2010 to May 11, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Cheryl Thompson

Phone: (817) 588-5886

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If **YES** for #2, who is the current owner/operator?

4) If **YES** for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If **YES**, when did the change(s) in owner or operator

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

Effective Date: 08/21/2010 ADMINORDER 2010-0303-MWD-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Ramt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(17)

Rqmt Prov: Sludge Reporting Requirements PERMIT

Description: Failure to submit sludge monitoring results at the intervals specified in the permit as documented by a TCEQ

record review.

Effective Date: 01/12/2013 ADMINORDER 2012-1257-MWD-E (1660 Order-Agreed Order With Denial)

Classification: Minor

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1) 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Eff. Lim. & Mon. Req. No. 1 PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

B. Criminal convictions:

N/A

2

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

ine approva	ai dates of investigation	
Item 1	June 21, 2010	(847641)
Item 2	July 29, 2010	(862047)
Item 3	September 20, 2010	(868628)
Item 4	October 20, 2010	(883057)
Item 5	November 19, 2010	(889476)
Item 6	December 16, 2010	(897839)
Item 7	January 21, 2011	(903730)
Item 8	February 18, 2011	(910627)
Item 9	March 21, 2011	(917890)
Item 10	April 25, 2011	(929652)
Item 11	May 19, 2011	(939586)
Item 12	July 12, 2011	(946995)
Item 13	August 25, 2011	(960837)
Item 14	September 23, 2011	(966934)
Item 15	October 20, 2011	(972904)
Item 16	November 18, 2011	(979038)
Item 17	December 20, 2011	(985873)
Item 18	January 06, 2012	(992228)
Item 19	February 23, 2012	(999538)
Item 20	June 20, 2012	(1025760)
Item 21	July 20, 2012	(1033108)
Item 22	August 20, 2012	(1039623)
Item 23	September 19, 2012	(1048551)
Item 24	October 18, 2012	(1068852)
Item 25	March 19, 2013	(1090968)
Item 26	April 18, 2013	(1097299)
Item 27	May 20, 2013	(1108324)
Item 28	June 24, 2013	(1111913)
Item 29	July 19, 2013	(1118815)
Item 30	August 20, 2013	(1126596)
Item 31	October 17, 2013	(1136899)
Item 32	November 18, 2013	(1142315)
Item 33	December 20, 2013	(1148752)
Item 34	January 17, 2014	(1154834)
Item 35	February 12, 2014	(1162142)
Item 36	March 20, 2014	(1168760)
Item 37	April 17, 2014	(1175937)
Item 38	May 20, 2014	(1182159)
Item 39	June 19, 2014	(1189058)
Item 40	July 17, 2014	(1194556)
Item 41	August 20, 2014	(1200932)
Item 42	September 19, 2014	(1207387)
Item 43	October 16, 2014	(1213790)
Item 44	November 20, 2014	(1220040)

Item 45	December 19, 2014	(1225851)
Item 46	January 20, 2015	(1232849)
Item 47	February 20, 2015	(1243849)
Item 48	March 20, 2015	(1250216)
Item 49	April 24, 2015	(1247048)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

Date: 05/27/2014 (1170157)

CN600790067

Self Report? NO Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.7(a)

MONITORING & REPORTING REQUIREMENTS PERMIT

Description: Self Report? Failure to maintain records for each measurement or sample taken.

Classification:

Classification:

Minor

Citation:

30 TAC Chapter 217, SubChapter M 217.328(b)

Description:

Failure to provide the required plant protection.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

I. Participation in a voluntary pollution reduction program:

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Texas Commission on Environmental Quality



IN THE MATTER OF AN	Š	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
RICHARDS INDEPENDENT	§	
SCHOOL DISTRICT	§	
RN101513489	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2015-0615-MWD-E

I. JURISDICTION AND STIPULATIONS

- 1. The Respondent owns and operates a wastewater treatment facility located at 9477 Panther Drive, approximately 550 feet north of Farm-to-Market Road 149 and 1,800 feet west of the Chicago, Rock Island and Pacific Railroad in Grimes County, Texas (the "Facility").
- 2. The Respondent has caused, suffered, allowed or permitted the discharge of any waste or the performance of any activity in violation of Tex. Water Code ch. 26 or any rule, permit, or order of the Commission.
- 3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about March 16, 2015.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

- 6. An administrative penalty in the amount of Nine Thousand Four Hundred Eighty-Nine Dollars (\$9,489) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Seven Thousand Five Hundred Ninety-Two Dollars (\$7,592) of the administrative penalty and One Thousand Eight Hundred Ninety-Seven Dollars (\$1,897) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
- 9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. On February 17, 2015:
 - i. Submitted operator logs demonstrating records of process controls conducted for solids management are being maintained;
 - ii. Submitted colorimeter calibrations records demonstrating that adequate quality control measures are being conducted on a 10% basis and recorded for total chlorine analysis; and
 - iii. Submitted an operator log indicating process control duties are being conducted by an operator with a Class "C" Wastewater Operator License; and
 - iv. Installed new chlorine feed tubes in the chlorine contact chamber.
 - b. On February 24, 2015, began collecting samples to monitor the food to microorganism ratio and began maintaining the records.
 - c. By March 31, 2015, returned to compliance with permitted effluent limitations.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to maintain compliance with permitted effluent limitations, in violation of TEX. ADMIN. CODE § 305.125(1) and TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013527001, Effluent Limitations and Monitoring Requirements No. 2, as documented during an investigation conducted on February 4, 2015. Specifically, a single grab sample collected during the investigation revealed a total chlorine residual of 4.54 milligrams per liter ("mg/L") which exceeds the permitted limit of 4.0 mg/L.
- 2. Failed to maintain process control records, in violation of 30 Tex. Admin. Code § 305.125(1) and TPDES Permit No. WQ0013527001, Operational Requirements No. 1, as documented during an investigation conducted on February 4, 2015. Specifically, the records of process controls conducted for solids management were not being maintained.
- 3. Failed to monitor the food to the microorganism ratio, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0013527001, Other Requirements No. 9, as documented during an investigation conducted on February 4, 2015. Specifically, the Respondent was not monitoring the food to microorganism ratio, given as the influent biochemical oxygen demand-5 day concentration divided by the aeration basin mixed liquor suspended solids concentration, once per month by grab samples.
- 4. Failed to assure the quality of all measurements through the use of blanks, standards, duplicates, and spikes, in violation of 30 Tex. Admin. Code §§ 305.125(1) and 319.6 and 319.9(d), and TPDES Permit No. WQ0013527001, Monitoring and Reporting Requirements No. 3.c., as documented during an investigation conducted on February 4, 2015. Specifically, the Respondent was not conducting or recording the quality control assurance for total chlorine analysis.
- 5. Failed to employ or contract one or more licensed wastewater treatment facility operators holding the appropriate level of license to operate a wastewater treatment facility a minimum of five days per week, in violation of 30 Tex. ADMIN. CODE §§ 30.350(d) and (j), and 305.125(1), and TPDES Permit No. WQ0013527001, Other Requirements No. 1, as documented during an investigation conducted on February 4, 2015. Specifically, the Respondent allowed an unlicensed individual to perform process control duties at the Facility.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Richards Independent School District, Docket No. 2015-0615-MWD-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 4. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 5. Pursuant to 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142, the effective date of this Order is the date it is signed by the Commission or the Executive Director. A copy of this fully executed Order shall be provided to each of the parties.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission				
For the Commission				
Pon Monue For the Executive Director	1214/15			
For the Executive Director	Date			
I, the undersigned, have read and understand the agree to the attached Agreed Order on behalf of the do agree to the terms and conditions specified the accepting payment for the penalty amount, is mat	ne entity indicated below my signature, and I erein. I further acknowledge that the TCEQ, in			
 I also understand that failure to comply with the and/or failure to timely pay the penalty amount, i. A negative impact on compliance history; Greater scrutiny of any permit application. Referral of this case to the Attorney General additional penalties, and/or attorney fees, Increased penalties in any future enforcement. 	may result in: s submitted; al's Office for contempt, injunctive relief, or to a collection agency; nent actions;			
 Automatic referral to the Attorney General and 	l's Office of any future enforcement actions;			
TCEQ seeking other relief as authorized by law.				
In addition, any falsification of any compliance do	ocuments may result in criminal prosecution.			
Mark Signature	7/18/15 Date			
Martey Ainsworth Name (Printed or typed) Authorized Representative of Richards Independent School District	<u>Superintendent</u> Title			

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.